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7 *ATTORNEYS FOR USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC*

8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re:  
 11 USA COMMERCIAL MORTGAGE COMPANY,  
 12 USA CAPITAL REALTY ADVISORS, LLC,  
 13 USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
 14 LLC,  
 15 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 16 USA SECURITIES, LLC,  
 Debtors

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

Chapter Number: 11

Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

17 **Affects:**

- 18 ☐ All Debtors  
 19 ☒ USA Commercial Mortgage Company  
 20 ☐ USA Securities, LLC  
 21 ☐ USA Capital Realty Advisors, LLC  
 22 ☐ USA Capital Diversified Trust Deed Fund, LLC  
 23 ☐ USA First Trust Deed Fund, LLC

**STIPULATION REGARDING  
 PROOF OF CLAIM NO. 56  
 FILED BY BEADLE MCBRIDE  
 & REEVES, LLP**

Date of Hearing: October 15, 2007  
 Time of Hearing: 9:30 a.m.

24 USA Capital Diversified Trust Deed Fund, LLC ("DTDF") and Beadle McBride &  
 25 Reeves, LLP ("Claimant" or "Beadle") hereby stipulate as follows:

- 26 1. On or about October 10, 2006 Claimant filed Proof of Claim No. 10727-00056  
 27 against DTDF in the amount of \$1,706.25 (the "Claim").  
 28 2. Claimant provided documentation attached to the Proof of Claim 10727-00056  
 alleging that Claimant provided services for the Debtor between December 2003 and May 2006.  
 3. On or about June 8, 2007, DTDF filed a "Second Omnibus Objection of Post-

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1 Effective Date USA Capital Diversified Trust Deed Fund, LLC, to (1) Claim Filed by Beadle  
2 McBride & Reeves, LLP, and (2) Scheduled Claim of GMAC Commercial Holding Capital" (the  
3 "Objection") [Docket No. 3939].

4 4. On or about August 7, 2007, the Court issued an "Order on Second Omnibus  
5 Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC to (1) Claim  
6 Filed by Beadle McBride & Reeves, LLP, and (2) Scheduled Claim of GMAC Commercial  
7 Holding Capital Corporation" (the "Order").

8 5. The Order sustained DTDF's Objection as to GMAC Commercial Holding Capital  
9 Corporation, but stated that "[a]n evidentiary hearing shall be held before this Court on  
10 October 15, 2007, at 9:30 a.m. to determine the validity and amount, as necessary, of the claim  
11 filed against Diversified by Beadle McBride & Reeves, LLP [Claim No. 56]."

12 6. DTDF and Beadle stipulate that Beadle shall have an allowed proof of claim of  
13 \$950.00.

14 7. This Stipulation shall not affect any other claims filed by Claimant in these jointly-  
15 administered bankruptcy proceedings.

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1 WHEREFORE, based on the stipulation set forth above, the parties hereby agree and  
2 request that the Court approve this stipulation as an order of the Court pursuant to Fed. R. Bankr.  
3 P. 3006, as follows:

- 4 1. Proof of Claim No. 10727-00056 is hereby amended to \$950.00.
- 5 2. DTDF hereby withdraws its Objection to Proof of Claim No. 10727-00056.
- 6 3. The evidentiary hearing on the Objection to Claim No. 10727-00056 scheduled for  
7 October 15, 2007, may be vacated.

8  
9 Dated this 22<sup>nd</sup> day of October, 2007.

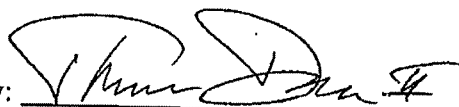
11 ORRICK, HERRINGTON & SUTCLIFFE LLP

13 By: /s/ Marc A. Levinson  
14 Attorneys for USA Capital  
15 Diversified Trust Deed Fund, LLC  
16 SNELL & WILMER LLP

17 By: /s/ Robert Kinas  
18 Attorneys for USA Capital  
19 Diversified Trust Deed Fund, LLC

20  
21 Dated this 23<sup>rd</sup> day of October, 2007.

23 BEADLE MCBRIDE & REEVES, LLP

24  
25 By:   
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